

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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FILED

DEC 27 2011

SECRETARY, BOARD OF
OIL, GAS & MINING

IN THE MATTER OF THE DIVISION OF :
OIL, GAS, AND MINING'S NOTICE OF :
AGENCY ACTION FOR AN ORDER :
FORFEITING TO THE STATE OF UTAH :
ALL INTEREST IN THE CERTIFICATE :
OF DEPOSIT #9347465958 BEING HELD :
BY WELLS FARGO BANK FOR AND ON :
BEHALF OF THE STATE OF UTAH AS :
SURETY FOR THE PLUGGING AND :
ABANDONMENT OF THE FOLLOWING :
WELL OPERATED BY ENERTECH :
ENERGY, INC: ENERTECH T5R21S6 #1; :
LOCATED AT SECTION 6 TOWNSHIP 5 :
SOUTH, RANGE 21 EAST, IN UINTAH :
COUNTY, UTAH.

NOTICE OF HEARING

Docket No. 2012-003
Cause No. 275-01

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING
MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, January 25, 2012, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-6-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. Requiring Enertech Energy, Inc. to plug and reclaim the Enertech T5R21S6 #1 well, and in the event they fail to do so, to Order forfeiture of the surety held by Wells Fargo Bank and authorizing the Division to use the funds to reclaim the wells; and
2. Providing such other relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before

the scheduled hearing, whichever is earlier. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.


Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 27th day of December 2011.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
James T. Jensen, Chairman



/s/ Julie Ann Carter
Secretary to the Board
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2012-003, Cause No. 275-01 to be mailed with postage prepaid, this 27th day of December, 2011, to the following:

Enertech Energy, Inc.
1999 Avenue of the Stars, Ste 1100
Los Angeles, CA 90067

Michael S. Johnson
Assistant Attorneys General
Utah Board of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Steven F. Alder
Assistant Attorneys General
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Wells Fargo Bank
c/o Linda Rasheed
1801 Avenue of the Stars
Los Angeles, CA 90067

The State of Utah School and Institutional
Trust Lands Administration
c/o Ed Bonner
675 East 500 South, Suite 500
Salt Lake City, UT 84102



CERTIFICATE OF PUBLISHED NOTICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2012-003, Cause No. 275-01 to be PUBLISHED in the following newspapers on the following days:

January 1, 2012:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

January 3, 2012:

Uintah Basin Standard, a newspaper of general circulation in Duchesne and Uintah Counties.

January 4, 2011:

Vernal Express, a newspaper of general circulation in Uintah and Daggett Counties.